

**PUBLIC CHAPTER NO. 212**

**SENATE BILL NO. 26**

**By Kurita, Crutchfield, Crowe, Tracy**

**Substituted for: House Bill No. 881**

**By Phillip Johnson, West, Brown, Winningham, Cooper, Towns, Larry Turner,  
Hardaway**

AN ACT to amend Tennessee Code Annotated, Section 49-6-3401, relative to hearings concerning the suspension or expulsion of a student.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-3401(c)(6), is amended by adding the following sentence immediately preceding the last sentence of the subdivision:

If the board conducts a hearing as a result of a request for review by a student, principal, principal-teacher or assistant principal, then, notwithstanding any provision of the open meetings act, laws compiled in Title 8, Chapter 44, or other law to the contrary, such hearing shall be closed to the public unless the student or student's parent or guardian requests in writing within five (5) days after receipt of written notice of the hearing that the hearing be conducted as an open meeting. If the board conducts a hearing as a result of a request for review by a student, principal, principal-teacher, or assistant principal that is closed to the public, then the board shall not conduct any business, discuss any subject or take a vote on any matter other than the appeal to be heard. Nothing in this subdivision shall act to exclude the Department of Children's Services from such disciplinary hearings when the department is exercising its obligations under § 37-1-140.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.

**PASSED: May 9, 2007**



RON RAMSEY  
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 24th day of May 2007



PHIL BREDESEN, GOVERNOR